

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

Case name United States v. Dzhokhar TsarnaevDistrict Court Case No. 13 Cr. 10200 (GAO) District of MassachusettsDate Notice of Appeal filed January 29, 2016 Court of Appeals Case No. 16-6001Form filed on behalf of Dzhokhar Tsarnaev

TRANSCRIPT REPORT

Transcript Not Necessary for this Appeal Transcript Already Filed in District Court. List each transcript by docket entry number and date and type of proceeding (attach separate page if necessary) See attached Exhibit A.

TRANSCRIPT ORDER

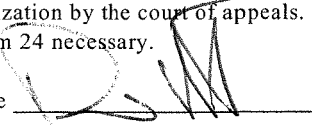
Name of Court Reporter Marcia PatrissoPhone Number of Reporter (617) 737-8728A. ☒ This constitutes an order of the transcript of the following proceedings [check appropriate box(es) and indicate dates of hearing(s)]:

PROCEEDING(S)	HEARING DATE(S)
<input type="checkbox"/> Jury Voir Dire	_____
<input type="checkbox"/> Opening Statement (plaintiff)	_____
<input type="checkbox"/> Opening Statement (defendant)	_____
<input checked="" type="checkbox"/> Trial	<u>4/30/15</u>
<input type="checkbox"/> Closing Argument (plaintiff)	_____
<input type="checkbox"/> Closing Argument (defendant)	_____
<input type="checkbox"/> Findings of Fact/Conclusions of Law	_____
<input type="checkbox"/> Jury Instructions	_____
<input type="checkbox"/> Change of Plea	_____
<input type="checkbox"/> Sentencing	_____
<input type="checkbox"/> Bail hearing	_____
<input checked="" type="checkbox"/> Pretrial proceedings (specify) <u>various</u>	<u>See attached Exhibit B.</u>
<input type="checkbox"/> Testimony (specify) _____	_____
<input checked="" type="checkbox"/> Other (specify) <u>various</u>	<u>See attached Exhibit B.</u>

NOTE: Any form that fails to specify in adequate detail those proceedings to be transcribed will be considered deficient.

B. ☒ I certify that I have contacted the court reporter and the following financial arrangements for payment of the transcript have been made:

- ☐ Private funds.
- ☐ Government expense (civil case). IFP status has been granted and a motion for transcript at government expense has been allowed. (Attach a copy of the order to each copy of this order form.)
- ☐ Criminal Justice Act. A CJA Form 24 has been approved by the district court judge.
- ☐ Criminal Justice Act. A CJA Form 24 is attached for authorization by the court of appeals.
- ☒ Federal Public Defender/Government Counsel - no CJA Form 24 necessary.

Filer's name David PattonFiler's Signature Firm/Address Federal Defenders of New York, 52 Duane St., 10th Floor, NY NY 10007Filer's Email address david patton@fd.orgTelephone number 212-417-8700Date mailed to court reporter May 27, 2016

(Court Reporter Use ONLY) Date received _____

EXHIBIT ATranscripts Already Filed in District Court

Dkt. No.	Date	Type of Proceeding
11	4/22/13	Initial Appearance
13	4/22/13	Sealed Conference
25	5/3/13	Sealed Ex Parte Proceeding (Telephonic)
67	7/10/13	Arraignment
104	9/23/13	Status Conference
149	11/12/13	Status Conference and Motion Hearing
174	2/12/14	Status Conference
270	4/16/14	Motion Hearing
425	6/18/14	Status Conference
538	8/14/14	Status Conference
580	9/18/14	Status Conference
671	11/12/14	Status Conference
776	12/18/14	Status Conference (Excerpt)
800	12/18/14	Final Pretrial Status Conference
915	10/20/14	Status Conference
987	1/2/15	Lobby Conference (Sealed)
988	12/30/14	Lobby Conference (Sealed)
1006	1/15/15	Jury Trial Day Four (Empanelment) (Sealed)
1007	1/16/15	Jury Trial Day Five (Empanelment) (Sealed)
1008	1/20/15	Jury Trial Day Six (Empanelment) (Sealed)
1009	1/21/15	Jury Trial Day Seven (Empanelment) (Sealed)
1010	1/22/15	Jury Trial Day Eight (Empanelment) (Sealed)
1011	1/23/15	Jury Trial Day Nine (Empanelment) (Sealed)
1012	1/26/15	Jury Trial Day Ten (Empanelment) (Sealed)
1013	1/29/15	Jury Trial Day Eleven (Empanelment) (Sealed)
1014	1/30/15	Jury Trial Day Twelve (Empanelment) (Sealed)
1015	2/4/15	Jury Trial Day Thirteen (Empanelment) (Sealed)
1019	2/5/15	Jury Trial Day Fourteen (Empanelment) (Sealed)
1024	2/6/15	Jury Trial Day Fifteen (Empanelment) (Sealed)
1026	2/11/15	Jury Trial Day Sixteen (Empanelment) (Sealed)
1028	2/12/15	Jury Trial Day Seventeen (Empanelment) (Sealed)
1034	2/13/15	Jury Trial Day Eighteen (Empanelment) (Sealed)
1041	2/17/15	Jury Trial Day Nineteen (Empanelment) (Sealed)
1049	2/18/15	Jury Trial Day Twenty (Empanelment) (Sealed)

1052	2/19/15	Jury Trial Day Twenty One (Empanelment) (Sealed)
1058	2/20/15	Jury Trial Day Twenty Two (Empanelment) (Sealed)
1075	2/24/15	Jury Trial Day Twenty Three (Empanelment) (Sealed)
1083	2/25/15	Jury Trial Day Twenty Four (Empanelment) (Sealed)
1116	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Opening Statements by Mr. Weinreb)
1117	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Opening Statements by Ms. Clarke)
1133	3/3/15	Lobby Conference (Sealed)
1146	3/12/15	Lobby Conference (Sealed)
1155	3/9/15	Jury Trial Day Twenty Nine (Excerpt) (Testimony of Steven Kimball)
1156	3/10/15	Jury Trial Day Thirty (Excerpt) (Testimony of Steven Kimball)
1163	3/11/15	Jury Trial Day Thirty One (Excerpt) (Testimony of Chad Fitzgerald)
1165	3/10/15	Jury Trial Day Thirty (Excerpt) (Sidebar Conference Re Proffer)
1180	3/12/15	Jury Trial Day Thirty Two (Excerpt) (Testimony of Dun Meng)
1183	3/18/15	Jury Trial Day Thirty Five (Excerpt) (Testimony of Stephanie Waite)
1190	3/19/15	Jury Trial Day Thirty Six (Excerpt) (Testimony of Kevin Swindon)
1194	3/17/15	Jury Trial Day Thirty Four (Excerpt) (Testimony of Stephen Silva)
1197	3/16/15	Jury Trial Day Thirty Three (Excerpt) (Testimony of James Floyd)
1198	3/23/15	Jury Trial Day Thirty Seven (Excerpt) (Testimony of Matthew Levitt, Ph.D.)
1199	3/24/15	Jury Trial Day Thirty Eight (Excerpt) (Testimony of Matthew Levitt, Ph.D.)
1210	3/4/15	Jury Trial Day Twenty Seven (Excerpt) (Testimony of Thomas Grilk)
1243	4/6/15	Jury Trial Day Forty Three (Excerpt) (Closing Argument by Alope Chakravarty and Rebuttal by William Weinreb)
1244	4/6/15	Jury Trial Day Forty Three (Excerpt) (Closing Argument by Judy Clarke)

1250	4/8/15	Jury Trial Day Forty Five (Excerpt) (Juror Questions)
1287	4/14/15	Jury Trial Day Forty Six
1294	4/6/15	Jury Trial Day Forty Three (Excerpt) (Part I Jury Instructions by the Court)
1297	4/13/15	Motion Hearing (Sealed)
1306	4/17/15	Lobby Conference (Sealed)
1308	4/21/15	Jury Trial Day Forty Seven (Excerpt) (Opening Statements of Nadine Pellegrini)
1348	3/9/15	Jury Trial Day Twenty Nine (Excerpt) (Testimony of Danling Zhou)
1349	4/27/15	Jury Trial Day Fifty
1351	3/26/15	Jury Trial Day Forty (Excerpt) (Testimony of Edward S. Knapp)
1354	4/28/15	Jury Trial Day Fifty One
1362	4/29/15	Jury Trial Day Fifty Two
1383	5/4/15	Jury Trial Day Fifty Four
1388	5/5/15	Jury Trial Day Fifty Five
1393	5/6/15	Jury Trial Day Fifty Six
1395	4/24/15	Lobby Conference (Sealed)
1396	3/26/15	Jury Trial Day Forty (Excerpt) (Testimony of David McCollam)
1397	3/31/15	Jury Trial Day Forty Two (Excerpt) (Testimony of Elena Graff)
1398	5/7/15	Jury Trial Day Fifty Seven
1418	5/13/15	Jury Trial Day Fifty Nine
1420	5/11/15	Lobby Conference (Sealed)
1422	3/5/15	Jury Trial Day Twenty Eight (Excerpt) (Testimony of William Richard)
1423	3/30/15	Jury Trial Day Forty One (Excerpt) (Testimony of Gerald R. Grant, Jr.)
1424	3/31/15	Jury Trial Day Forty Two (Excerpt) (Testimony of Mark Spencer)
1444	5/11/15	Lobby Conference (Sealed)
1445	5/11/15	Lobby Conference # 2 (Sealed)
1446	5/12/15	Lobby Conference (Sealed)
1476	6/24/15	Disposition (Excerpt) (Remarks by the Honorable George A. O'Toole, Jr., District Judge)
1477	6/24/15	Disposition (Corrected Excerpt) (Allocution of Dzhokhar A. Tsarnaev)

1482	6/24/15	Disposition (Excerpt) (Re: Appeal)
1487	5/19/15	Status Conference
1492	6/24/15	Sentencing (Excerpt)
1500	3/16/15	Jury Trial Day Thirty Three (Excerpt) (Testimony of Jeffrey Pugliese)
1510	5/13/15	Lobby Conference (Sealed)
1512	1/5/15	Jury Trial Day One (A.M. Session)
1513	1/5/15	Jury Trial Day One (P.M. Session)
1514	1/6/15	Jury Trial Day Two (A.M. Session)
1515	1/6/15	Jury Trial Day Two (P.M. Session)
1516	1/7/15	Jury Trial Day Three (A.M. Session)
1517	1/7/15	Jury Trial Day Three (P.M. Session)
1518	3/2/15	Jury Trial Day Twenty Five (Motion Hearing)
1519	3/16/15	Jury Trial Day Thirty Three
1521	3/2/15	Lobby Conference (Sealed)
1522	3/3/15	Lobby Conference (Sealed)
1526	3/9/15	Lobby Conference (Sealed)
1527	3/10/15	Lobby Conference (Sealed)
1528	3/4/15	Jury Trial Day Twenty Seven
1529	3/5/15	Jury Trial Day Twenty Eight
1530	3/9/15	Jury Trial Day Twenty Nine
1533	3/3/15	Jury Trial Day Twenty Six
1537	3/10/15	Jury Trial Day Thirty
1538	3/11/15	Jury Trial Day Thirty One
1540	3/11/15	Lobby Conference (Sealed)
1541	4/6/15	Lobby Conference (Sealed)
1544	3/12/15	Jury Trial Day Thirty Two
1546	3/17/15	Jury Trial Day Thirty Four
1548	3/17/15	Lobby Conference (Sealed)
1553	3/24/15	Lobby Conference (Sealed)
1559	3/18/15	Jury Trial Day Thirty Five
1560	3/23/15	Jury Trial Day Thirty Seven
1562	3/18/15	Lobby Conference (Sealed)
1564	3/19/15	Jury Trial Day Thirty Six
1566	3/24/15	Jury Trial Day Thirty Eight
1567	3/25/15	Jury Trial Day Thirty Nine
1569	3/26/15	Jury Trial Day Forty
1573	3/31/15	Lobby Conference (Sealed)
1574	3/30/15	Lobby Conference (Sealed)

1575	3/31/15	Jury Trial Day Forty Two
1577	3/31/15	Afternoon Lobby Conference (Sealed)
1580	4/6/15	Jury Trial Day Forty Three
1583	4/7/15	Jury Trial Day Forty Four
1585	4/7/15	Jury Trial Day Forty Four (Sealed) (Sealed Sidebar Conference)
1586	4/8/15	Lobby Conference (Sealed)
1587	4/8/15	Jury Trial Day Forty Five
1592	4/9/15	Status Conference
1597	12/1/15	Motion Hearing
1602	4/21/15	Lobby Conference (Sealed)
1603	4/21/15	Jury Trial Day Forty Seven
1609	4/22/15	Jury Trial Day Forty Eight
1611	4/23/15	Jury Trial Day Forty Nine
1613	4/23/15	Lobby Conference (Sealed)
1621	4/28/15	Lobby Conference (Sealed)
1624	3/30/15	Jury Trial Day Forty One
1629	4/29/15	Lobby Conference (Sealed)
1630	4/30/15	Lobby Conference (Sealed)
1631	5/6/15	Lobby Conference (Sealed)
1632	5/7/15	Lobby Conference (Sealed)
1633	6/23/15	Lobby Conference (Sealed)
1634	6/24/15	Sentencing
1656	12/18/14	Lobby Conference (Sealed)
1657	4/7/15	Jury Trial Day Forty Four (Sealed) (Redacted Sidebar Conference)
1658	4/8/15	Jury Trial Day Forty Five (Sealed) (Redacted Sidebar Conference)
1659	3/16/15	Jury Trial Day Thirty Three (Jury View)
1660	5/14/15	Jury Trial Day Sixty
1661	5/15/15	Jury Trial Day Sixty One
none	4/1/15	Motion Hearing (Sealed)

EXHIBIT BTranscript Order

Date	Type of Proceeding
5/3/13	Defense Ex Parte Conference
7/14/13	Defense Ex Parte Conference
9/23/13	Defense Ex Parte Conference
10/21/13	Defense Ex Parte Conference
11/12/13	Government Ex Parte Conference
12/12/13	Defense Ex Parte Conference
2/2/14	Defense Ex Parte Conference
2/12/14	Defense Ex Parte Conference
6/4/14	Defense Ex Parte Conference
7/3/14	Government Ex Parte Conference
10/30/14	Defense Ex Parte Conference
11/6/14	Government Ex Parte Conference
11/18/14	Defense Ex Parte Conference
12/8/14	Government Ex Parte Conference
12/19/14	Defense Ex Parte Conference
12/22/14	Defense Ex Parte Conference
12/26/14	Lobby Conference
1/9/15	Joint In-Chambers Conference
1/12/15	In-Chambers Conference
1/14/15	In-Chambers Conference
2/26/15	Defense Ex Parte Conference
2/26/15	Government Ex Parte Conference
4/30/15	Jury Trial Day Fifty Three
5/15/15	Defense Ex Parte Conference
9/24/15	Government Ex Parte Conference

CERTIFICATE OF SERVICE

I certify that the attached Transcript Report/Order was filed electronically through the ECF systems for the U.S. District Court for the District of Massachusetts and the U.S. Court of Appeals for the First Circuit, which will send electronic notice to counsel of record for all parties on this the 27th day of May, 2016, including the following:

Elizabeth D. Collery, Esq.
U.S. Department of Justice, Crim. Div., App. Sec.
950 Pennsylvania Ave. NW, Suite 1264
Washington, DC 20530
liza.collery@usdoj.gov

/s/ David Patton, Esq.
Court of Appeals # 1173507
Federal Defenders of New York, Inc.
52 Duane Street, 10th Floor
New York, NY 10007
(212) 417-8700
DAVID_PATTON@FD.ORG